

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
NEWARK VICINAGE

Nicholas Caputo, Esq.  
ROBINSON BROG LEINWAND  
GREENE GENOVESE & GLUCK P.C.  
Attorney for Plaintiff  
80 Campus Drive  
South Kearny, New Jersey 07032  
(973) 522-0766

Brian McMahon, Esq.  
GIBBONS P.C.  
Attorney for Defendants  
One Gateway Center  
Newark, New Jersey 07102  
(973) 596-4500

-----	X
ROCHEUX INTERNATIONAL OF NEW	:
JERSEY, INC., ,	:
Plaintiff,	:
	:
-against-	:
	:
U.S. MERCHANTS FINANCIAL GROUP, INC., U.S.	:
MERCHANTS, INC., a division of U.S. MERCHANTS	:
FINANCIAL GROUP, INC. d/b/a U.S. MERCHANTS	:
and/or THE MERCHANT OF TENNIS, THE	:
MERCHANT OF TENNIS INC., and DIVERSIFIED	:
REPACKAGING CORPORATION.,	:
	:
Defendants.	:
-----	X

Hon. Garrett E. Brown, Jr., U.S.D.J.  
Civil Action No.: 06-6147 (GEB)

**STIPULATION AND  
ORDER OF DISMISSAL**

**WHEREAS**, this matter having been amicably resolved between the parties in accordance with a confidential Stipulation of Settlement (the "Stipulation of Settlement"), and,

**WHEREAS**, the Stipulation of Settlement provides inter alia, for settlement payments over time, and for the entry of a Consent Judgment by this Court in the event of an uncured default by Defendants in any payments thereunder, and,

**WHEREAS**, this Court has reviewed the Stipulation of Settlement and its is approved by the Court;

**WHEREAS**, the Consent Judgment has been approved and executed by the counsel for Plaintiff and counsel for Defendants,

It is on the 2<sup>nd</sup> <sup>May</sup>~~April~~, 2011;

**ORDERED:**

1. This action is dismissed in its entirety with prejudice and without costs;
2. The Court hereby retains jurisdiction to enforce the terms of the Stipulation of Settlement (and the exhibits thereto), and to enter and enforce the Consent Judgment, upon a showing by affidavit or declaration of counsel, on notice to Defendants' counsel, that there has been an uncured default. In the event of a default under the Stipulation of Settlement, Defendants shall not contest the entry of the Consent Judgment, and the Court shall issue and enter the Consent Judgment in the amount set forth in the Stipulation of Settlement (less any Installment Payments made by Defendants as defined in the Stipulation of Settlement), which judgment shall be final and non-appealable, unless Defendants can establish that there was no default, or that it was cured within the time permitted in the Stipulation of Settlement, *time being of the essence* or that the amount sought is not the correct amount or is not due.

SO STIPULATED:

Dated: April 19, 2011

ROBINSON BROG LEINWAND GREENE  
GENOVESE & GLUCK P.C.  
Attorney for Plaintiff Rocheux International  
of New Jersey, Inc.

By: 

Nicholas Caputo

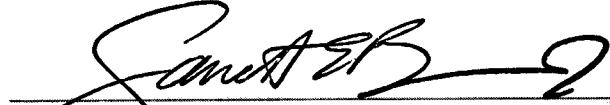
Dated: April 19, 2011

GIBBONS P.C.  
Attorney for Defendants

By: 

Brian McMahon

SO ORDERED:



Hon. Garrett E. Brown, Jr., III, Chief Judge, U.S.D.J.